

REMARKS

Claims 26-39 are all the claims currently pending in this Application. With the current Office Action, the Examiner returns a signed and initialed copy of the form PTO/SB/08 submitted with the Information Disclosure Statement of November 14, 2005.

Claim Rejections

Claims 26, 28-31, 36, 37, and 39 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bao (EP 0867747), in view of Nishio (U.S. Patent 5,914,825). Claims 27 and 38 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bao, in view of Nishio and Ishimaru (JP 11-142618). Claims 33 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bao, in view of Nishio and Qiao (U.S. Patent 5,485,291). Claims 32 and 34 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bao, in view of Nishio and Umemoto (U.S. Patent 5,727,107). Applicants respectfully traverse these rejections.

In the 1.114(c) Amendment filed on January 4, 2006, Applicants argued that the claims were patentable over the cited references because Bao fails to disclose or suggest a transparent film with a thickness of 300 μ m or less, as recited in claim 26. In the current Office Action, the Examiner combines Bao with Nishio and asserts that Nishio teaches the use of reflective films having thickness of 20 μ m to 1000 μ m in display devices.

However, one of ordinary skill in the art at the time of the presently-claimed invention would not have been motivated to combine Bao and Nishio as suggested by the Examiner because there is no suggestion or motivation for doing so in the references themselves and the knowledge is not available to one of ordinary skill in the art without resorting to impermissible hindsight.

As discussed in the 1.114(c) Amendment of January 4, the light guide plate of Bao is designed with the assumption that the light guide plate is used with a light source disposed on an end (side surface) of the light guide plate, as in Figure 1 and col. 7, lines 33-36. Therefore the light guide plate of Bao must be of at least the same thickness as that of the light source used. This type of system is discussed in the “Background” section of the specification of the present invention at page 2: “the side-lighting type light pipe has a thickness of not smaller than 1mm under the necessity of light transmission.” In contrast, Nishio describes a reflection-type display in which the base 3 or layer 4 is illuminated from above (from the front), as shown by the direction of incident light in Figure 3. Further, Nishio is related to a “reflector” that is disposed on the back surface of a reflection-type display (see Abstract; col. 1, lines 4-7). The Examiner appears to refer to Nishio’s descriptions that the reflective element has a thickness of 20-1000 μm or 10-1000 μm (col. 4, lines 38-39; col. 6, lines 11-14). However, each of these thicknesses is a thickness of a *reflector* or a *substrate sheet of a reflector*. One of skill in the art would not have been motivated to apply the thickness of Nishio’s reflector to a light guide plate as in Bao.

Additionally, if the thickness of the light guide plate of Bao were reduced to 300 μm or less, the plate would not function as a light guide plate. This would have been clearly understood by one of skill in the art, and therefore, one of skill in the art would not have been motivated to so reduce the thickness of the Bao light guide plate.

Therefore, due to the disparate arrangements of the inventions of Bao and Nishio, one of skill in the art could not have modified Bao and decreased the thickness of the light guide plate of Bao according to the teachings of Nishio.

Because of the disparity between these two references, the only possible motivation for the Examiner's proposed combination is Applicant's own disclosure, the reliance on which constitutes impermissible hindsight reconstruction under MPEP §2143 (see also *In re Vaeck*, 20 USPQ 1438 (Fed. Cir. 1991)).

None of the other cited references make up for the deficiencies of Bao and Nishio.

Therefore, Applicants submit that claims 26-39 are patentable over the cited combinations of references and respectfully request that the rejections of these claims be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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